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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR       | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------------|---------------------|------------------|
| 10/542,126   | 12/01/2005  | Ademar Odin Haron Driedijk | 3135-052071         | 8454             |
| 28289 7590 09/17/2008<br>THE WEBB LAW FIRM, P.C.<br>700 KOPPERS BUILDING<br>436 SEVENTH AVENUE<br>PITTSBURGH, PA 15219 |             |                            |                     |                  |
| EXAMINER   |             |                            |                     |                  |
| MUSSELMAN, TIMOTHY A   |             |                            |                     |                  |
| ART UNIT   |             | PAPER NUMBER               |                     |                  |
| 3714   |             |                            |                     |                  |
| MAIL DATE  |             | DELIVERY MODE              |                     |                  |
| 09/17/2008   |             | PAPER                      |                     |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary****Application No.**

10/542,126

**Applicant(s)**DRIEDIJK, ADEMAR ODIN  
HARON**Examiner**

TIMOTHY MUSSELMAN

**Art Unit**

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 6/9/2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 15-22 and 24-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-22, 24-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Status of Claims*

In response to applicant's submission dated 6/9/2008, claims 15-22 and 24-28 are currently pending, and claim 23 has been cancelled. Claims 1-15 have been cancelled previously.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of the relevant portion of 35 U.S.C. 103 that forms the basis for the rejections made in this section of the office action;

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

**Claims 15-22 and 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al. (US 5,210,689).**

**Regarding claims 15, 20-21, and 24-25,** Baker discloses a keyboard (keyboards are widely known to be keys embedded in a support structure), a processor, and a speaker. See fig. 3. Baker further discloses wherein the system adapts the keystrokes into sounds by use of the processor. See col. 8: 35-46. Baker does not teach wherein the keys are representative of Phonemes. However, this is old and well known in the art, as is *clearly* described by Baker in col. 1: 55-62, and also col. 3: 38-42. Thus, such a modification to the system of Baker would have been an obvious variation well within one of ordinary skill in the art.

**Regarding claim 16,** Baker discloses wherein the symbols are displayed on the keys. See fig. 3.

**Regarding claim 17**, Baker discloses wherein the processor is connected to a display. See col. 7: 21-40.

**Regarding claim 18**, Baker discloses wherein plural keystrokes can correspond to only one symbol. See col. 8: 36-41.

**Regarding claims 19 and 27**, Baker discloses wherein the symbols are stored in an electronic database. See col. 6: 62-68.

**Regarding claim 22**, there must be an information carrier between the processor, speaker, and keyboard, such as wires or some equivalent. If the items were not connected, the system would not work.

**Regarding claim 26**, the use of phonemes on the keys would be an obvious variation of Baker as described above with reference to claim 24, and applicant's claim makes it clear that phonemes can be words. Thus this limitation would automatically follow from claim 24.

**Regarding claim 28**, there is always a propagation delay in electronic systems, determined by at least transmission line parameters. Thus, the nature of the transmission line at least would *pre-determine* a minimum delay.

### ***Response to Arguments***

Applicant's arguments dated 6/9/2008 have been fully considered, but are moot in view of the new grounds of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TIMOTHY MUSSELMAN whose telephone number is (571)272-1814. The examiner can normally be reached on Mon-Thu 6:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571)272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. M./  
Acting Examiner of Art Unit 3714

/Robert E Pezzuto/  
Supervisory Primary Examiner  
Art Unit 3714